

**Proposal:**

/USA/1.23/1 MOD

## ARTICLE 21

### Terrestrial and space services sharing frequency bands above 1 GHz

#### Section V – Limits of power flux-density from space stations

TABLE 21-4 (CONTINUED) (Rev.WRC-07)

Frequency band	Service*	Limit in dB(W/m <sup>2</sup> ) for angles of arrival ( $\delta$ ) above the horizontal plane			Reference bandwidth
		0°-5°	5°-25°	25°-90°	
19.3-19.7 GHz 22.55-23.55 GHz 24.45-24.75 GHz 25.25-27.5 GHz 27.500-27.501 GHz	Fixed-satellite (space-to-Earth) Earth exploration-satellite (space-to-Earth) Inter-satellite Space research (space-to-Earth)	-115 <sup>13A</sup>	$-115 + 0.5(\delta - 5)$ <sup>13A</sup>	-105 <sup>13A</sup>	1 MHz
<u>21.4-22.0 GHz</u>	<u>Broadcasting – satellite (space-to-Earth)</u>	<u>-115 <sup>14bis</sup></u>	<u><math>-115 + 0.5(\delta - 5)</math> <sup>14bis</sup></u>	<u>-105 <sup>14bis</sup></u>	<u>1 MHz</u>
31.0-31.3 GHz 34.7-35.2 GHz (space-to-Earth transmissions referred to in No. 5.550 on the territories of countries listed in No. 5.549)	Space research	-115	$-115 + 0.5(\delta - 5)$	-105	1 MHz

<sup>14bis</sup> 21.16.X These limits shall apply only on territories of Region 2 countries.

**Reasons:** Sharing between satellite services in Regions 1 and 3 and terrestrial services in Region 2 can be implemented most simply through power flux density (pfd) limits specified in Article 21, Section V. The proposed pfd values are consistent with Recommendation ITU-R BO.1776. It is

important to recognize that ITU-R BO.1776 is referenced in Resolutions **525** (Rev. WRC-07) and **551** (Rev. WRC-07). It is also important to recognize that these same pfd values are applied to the BSS systems that were introduced in the 21.4-22.0 GHz band prior to 1 April 2007. The proposed modification would provide regulatory certainty to satellite services as a defined set of pfd limits would be known and extensive coordination with uncertain outcome would not be required. The proposed modification would also reduce the administrative burden for administrations in all Regions.

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## DOCUMENT WAC/048(01.09.09)

### United States of America DRAFT PROPOSALS FOR THE WORK OF THE CONFERENCE

**Agenda Item 1.7:** *to consider the results of ITU-R studies in accordance with Resolution 222 (Rev.WRC-07) in order to ensure long-term spectrum availability and access to spectrum necessary to meet requirements for the aeronautical mobile-satellite (R) service, and to take appropriate action on this subject, while retaining unchanged the generic allocation to the mobile-satellite service in the bands 1 525-1 559 MHz and 1 626.5-1 660.5 MHz.*

#### **Background**

The mobile satellite service allocations in 1525- 1559 MHz and 1626.5 – 1660.5 MHz continue to support valuable communications requirements and are needed to address the future communications requirements for commercial MSS as well as Global Maritime Distress and Safety System and aeronautical mobile satellite service (R) service (AMS(R)S) requirements.

The MSS allocations with associated footnote provisions, providing priority and preemptive access to the MSS systems for communications to support AMS(R)S, have allowed sufficient flexibility to satisfy the AMS(R)S communications requirements in this band. There is no need to modify the MSS allocations and the associated footnote regulatory provisions for AMS(R)S.

The USA proposes No Change (NOC) to the Table of Allocations for the MSS allocations in the 1525-1559 MHz and 1626.5- 1660.5 MHz and the associated footnote regulatory provisions for AMS(R)S.

**Proposal:**  
**USA/xx / 1 NOC**

## ARTICLE 5

### Frequency allocations

<b>1 525-1 530</b> SPACE OPERATION (space-to-Earth) FIXED MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Mobile except aeronautical mobile 5.349 5.341 5.342 5.350 5.351 5.352A 5.354	<b>1 525-1 530</b> SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Fixed Mobile 5.343  5.341 5.351 5.354	<b>1 525-1 530</b> SPACE OPERATION (space-to-Earth) FIXED MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Mobile 5.349  5.341 5.351 5.352A 5.354
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**Reason:** The mobile satellite service allocations continue to be necessary to satisfy future requirements.  
No modifications are required to satisfy aeronautical mobile satellite (R) service requirements.

**USA/xx / 2 NOC**

## ARTICLE 5

### Frequency allocations

<b>1 530-1 535</b> SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.353A Earth exploration-satellite Fixed Mobile except aeronautical mobile 5.341 5.342 5.351 5.354	<b>1 530-1 535</b> SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.353A Earth exploration-satellite Fixed Mobile 5.343  5.341 5.351 5.354
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**Reason:** The mobile satellite service allocations continue to be necessary to satisfy future requirements.  
No modifications are required to satisfy aeronautical mobile satellite (R) service requirements.

**USA/xx / 3 NOC**

## ARTICLE 5

### Frequency allocations

<b>1 535-1 559</b> MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.341 5.351 5.353A 5.354 5.355 5.356 5.357 5.357A 5.359 5.362A
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**Reason:** The mobile satellite service allocations continue to be necessary to satisfy future requirements.

No modifications are required to satisfy aeronautical mobile satellite (R) service requirements.

**USA/xx / 4 NOC**

## ARTICLE 5

### Frequency allocations

<b>1 626.5-1 660</b>	MOBILE-SATELLITE (Earth-to-space) 5.351A
	5.341 5.351 5.353A 5.354 5.355 5.357A 5.359 5.362A 5.374 5.375 5.376

**Reason:** The mobile satellite service allocations continue to be necessary to satisfy future requirements. No modifications are required to satisfy aeronautical mobile satellite (R) service requirements.

**USA/xx / 5 NOC**

## ARTICLE 5

### Frequency allocations

<b>1660-1 660.5</b>	MOBILE-SATELLITE (Earth-to-space) 5.351A
	RADIO ASTRONOMY  5.149 5.341 5.351 5.354 5.362A 5.376A

**Reason:** The mobile satellite service allocations continue to be necessary to satisfy future requirements. No modifications are required to satisfy aeronautical mobile satellite (R) service requirements.

**USA/xx / 6 NOC**

## ARTICLE 5

### Frequency allocations

**5.357A** In applying the procedures of Section II of Article 9 to the mobile-satellite service in the bands 1 545-1 555 MHz and 1 646.5-1 656.5 MHz, priority shall be given to accommodating the spectrum requirements of the aeronautical mobile-satellite (R) service providing transmission of messages with priority 1 to 6 in Article 44. Aeronautical mobile-satellite (R) service communications with priority 1 to 6 in Article 44 shall have priority access and immediate availability, by pre-emption if necessary, over all other mobile-satellite communications operating within a network. Mobile-satellite systems shall not cause unacceptable interference to, or claim protection from, aeronautical mobile-satellite (R) service communications with priority 1 to 6 in Article 44. Account shall be taken of the priority of safety-related communications in the other mobile-satellite services. (The provisions of Resolution 222 (WRC-2000)\* shall apply.) (WRC-2000)

**Reason:** The mobile satellite service allocations continue to be necessary to satisfy future requirements. No modifications are required to satisfy aeronautical mobile satellite (R) service requirements.

## **Regulatory Issues**

## **DOCUMENT WAC/041(01.09.09)**

### **UNITED STATES**

#### **PRELIMINARY VIEWS ON WRC-11**

**WRC-11 Agenda 1.2:** taking into account the ITU-R studies carried out in accordance with Resolution 951 (Rev.WRC-07), to take appropriate action with a view to enhancing the international regulatory framework;

**ISSUE:** Identification of concepts and allocation procedures for enhancing the ITU Radio Regulations (RR) to meet requirements of current and future radio applications while taking into account existing services and usage;

**BACKGROUND:** WRC-07 considered the report of ITU studies in response to Resolution 951 (WRC-03) on methods to improve the international spectrum regulatory framework. This report identified a number of options for addressing the evolution of radio applications, systems and technologies which include the following:

*Option 1:* keeping the current service definitions and not introducing any changes to the ITU Radio Regulations (RR) with respect to this agenda item;

*Option 2:* reviewing and possibly revising the current service definitions or adding one or more new services to the list of service definitions, each one encompassing several of the existing ones;

*Option 3:* introducing a new provision in the RR enabling substitution between assignments of specific services;

*Option 4:* introducing composite services in the Table of Frequency Allocations.

WRC-07 also adopted a revised version of Resolution 951, calling for urgent studies in order to develop as appropriate, new concepts and procedures for enhancing the Radio Regulations to meet the demands of current, emerging and future radio applications, while taking into account existing services and usage. In particular, it calls for studies aimed at: a) evaluating options for enhancing spectrum management solutions for increased flexibility in meeting new demands; b) developing applicable concepts and procedures including sharing studies on a band-by-band basis to support these options; c) preparing relevant technical and regulatory solutions for consideration and appropriate action at WRC-11.

**DISCUSSION:** The United States recognizes the importance of a spectrum regulatory framework that allows flexible spectrum use, to the extent practicable, so as to allow for the evolution of services and technologies, taking into account existing services and usage. Accordingly, the United States has, consistently adopted domestic service rules to accommodate emerging technologies, or, in various instances, sought changes in the ITU Radio Regulations in order to accommodate new or evolving systems. These approaches have allowed the timely deployment of new technologies. In either case, such changes have been sought after careful evaluation, on a case-by-case basis, of the new service's requirements, and their ability to co-exist with other co-frequency systems.

**U.S. VIEW:** The United States is of the view that support for proposals for enhancing the international regulatory framework in specific situations should be evaluated using the guidelines set forth in Annex 2 of Res. 951(WRC-07). The United States is also of the view that studies should be conducted on a frequency band by frequency band basis consistent with the guidelines

in this Annex. The United States may consider supporting proposals under Agenda Item 1.2 on a case by case basis, taking into account the guidelines in the Annexes to Resolution 951. The United States does not support large-scale modifications to the international regulatory framework since it believes that the current regulatory framework, including the WRC process, is sufficiently flexible to accommodate new technologies.

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## DOCUMENT WAC/042(01.09.09)

### United States of America

#### DRAFT PROPOSALS FOR THE WORK OF THE CONFERENCE

**WRC-11 Agenda Item 7:** *to consider possible changes in response to Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference: "Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks", in accordance with Resolution 86 (Rev.WRC-07)*

**Background information:** Access to the geostationary orbit (GSO) has become increasingly difficult over the years, in large part due to difficulties in fully coordinating new orbital positions and applying the relevant provisions of the Radio Regulations. As highlighted at the most recent ITU Radiocommunications Bureau (BR) workshop on efficient use of the spectrum/orbit resource and in ITU administrative circular CR/301, it has been noted that some unused frequency and GSO resources remain recorded in the Master International Frequency Register, which serves to worsen this problem. As such, improving transparency into actual usage of frequency and GSO resources could help to improve this situation.

For non-planned satellite bands, No. 11.44 of the Radio Regulations (RR) requires that the notified date of bringing into use of any assignment to a space station of a satellite network shall not be later than seven years following the date of receipt of the relevant complete information under RR No. 9.1 or 9.2, as appropriate. Additionally, this provision states that any frequency assignment not brought into use within the required period shall be cancelled by the BR. When the notified date of bringing into use of frequency assignments is earlier than the date of submission of the Notification request, the Notification request itself is considered by the BR as confirmation that the frequency assignments have been brought into use. Furthermore, RR No. 11.47 clarifies the requirement for administrations to inform the BR of frequencies assignments brought into use for the case of assignments being Notified before being brought into use. Therefore, it can be considered that there are two separate requirements. Under the first, the BR must receive the Notification information for frequency assignments in a network by the end of the regulatory lifetime of the satellite network filing, whereas under the second the BR must have been informed that the frequency assignments have actually been brought into use by a date certain.

The potential difficulty with the current process is that it can result in uncertainty for administrations as to the status of frequency assignments for several reasons. For example, while administrations can examine the SRS database for details pertaining to notified frequency assignments that have been submitted to the BR (Part I-S), or examined by the BR and found to be in conformity with the Radio Regulations (Part II-S), they cannot readily determine whether or not administrations have informed the BR that frequency assignments have been brought into use, and if so the date on which they were brought into use. This can result in uncertainty for administrations as to the provisional or definitive status of frequency assignments in the MIFR, or whether an administration has missed the deadline under RR No. 11.44 entirely and it is simply a matter of time before the provisionally notified frequency assignments are suppressed. Additionally, there is currently no specific requirement to inform the BR within a specified time limit that frequency assignments have actually been brought into use. As such, assignments can be brought into use on a given date and the Notification information for these assignments can be

submitted to the BR at any later date, provided that the date of that submission is earlier than the end of the time limit for notifying the network.

The uncertainty associated with frequency assignments and satellite networks actually brought into use can be addressed by requiring administrations to inform the BR within a specified time period that frequency assignments associated with a satellite network have actually been brought into use and by having the BR make information received from administrations regarding such bringing into use publicly available. The BR has established, on a trial basis, two web pages for providing such information: <http://www.itu.int/ITU-R/space/snl/listinuse/> for non-planned bands and [http://www.itu.int/ITU-R/space/snl/listinuse\\_plan/](http://www.itu.int/ITU-R/space/snl/listinuse_plan/) for planned bands. The BR should be instructed to continue to build the list of networks contained on these pages and to make these pages permanent. In addition, it would also be useful if, on this same web page, a hyperlink were included to the Resolution 49 information associated with the bringing into use of the frequency assignments in question.

In addition to the uncertainty associated with frequency assignments and satellite networks actually brought into use, there can also be uncertainty associated with the Annex 2 data of Resolution 49. This is due to the fact that Resolution 49 calls for data to be submitted as early as possible before the end of the regulatory lifetime of the filing, or as early as possible before satellite launch and, for a variety of reasons, it is possible for certain of these data elements to change after such initial submission of the data. Such changes add to the uncertainty associated with the GSO resources actually being used by administrations.

In order to address the uncertainties associated with Resolution 49 data, it is proposed to modify this Resolution. The proposed changes entail requiring submission of Resolution 49 data only after the BR has been informed that frequency assignments have been brought into use. In this way, the Resolution 49 data would become definitive as there will be certainty associated with the data called for in Annex 2 of the Resolution (i.e. launch date, launch provider, name of satellite, frequency bands on the satellite, etc.).

#### **Proposal:**

**USA/xx/1**

**MOD**

The uncertainty associated with frequency assignments and satellite networks actually brought into use could be addressed as follows:

**11.44** The notified date<sup>20</sup> of bringing into use of any assignment to a space station of a satellite network shall be not later than seven years following the date of receipt by the Bureau of

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<sup>20</sup> **11.44.1** In the case of space station frequency assignments that are brought into use prior to the completion of the coordination process, and for which the Resolution 49 (Rev. WRC-1203)\* data have been submitted to the Bureau, the assignment shall continue to be taken into consideration for a maximum period of seven years from the date of receipt of the relevant information under No. 9.1. If the first notice for recording of the assignments in question under No. 11.15 has not been received by the Bureau by the end of this seven-year period, the assignments shall no longer be taken into account by the Bureau and administrations. The Bureau shall inform the notifying administration of its pending actions three months in advance.

In the case of satellite networks for which relevant advance publication information has been received prior to 22 November 1997, the corresponding period will be nine years from the date of publication of this information. (WRC-2000)

the relevant complete information under No. 9.1 or 9.2, as appropriate. Any frequency assignment not brought into use within the required period shall be cancelled by the Bureau after having informed the administration at least three months before the expiry of this period. (See also Resolution 49 (WRC-12)). (WRC-0312)

USA/xx/2

MOD

**11.47** All frequency assignments notified in advance of their being brought into use shall be entered provisionally in the Master Register. Any frequency assignment to a space station provisionally recorded under this provision shall be brought into use no later than the end of the period provided under No. 11.44. Any other frequency assignment provisionally recorded under this provision shall be brought into use by the date specified in the notice, or by the end of the extension period granted under No. 11.45, as the case may be. Unless the Bureau has been informed by the notifying administration of the bringing into use of the assignment, it shall, no later than fifteen days before either the notified date of bringing into use, in the case of an earth station, or the end of the regulatory period established under No. 11.44 or No. 11.45, as appropriate, send a reminder requesting confirmation that the assignment has been brought into use within that regulatory period. If the Bureau does not receive that confirmation within thirty days following the notified date of bringing into use, in the case of an earth station, or the period provided under No. 11.44 or No. 11.45, as the case may be, it shall cancel the entry in the Master Register. The Bureau shall, however, inform the administration concerned before taking such action. (See also Resolution 49 (WRC-12)). (WRC-0712)

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<sup>2</sup> ~~Note by the Secretariat: This Resolution was revised by WRC-07.~~

## RESOLUTION BIU

**Publication of bringing into use data for satellite networks**

The World Radiocommunication Conference (Geneva, 2012),

*considering*

- a) that access to the geostationary orbit (GSO) has become increasingly difficult over the years ;
- b) that this difficulty is due, in large part, to difficulties in fully coordinating new orbital positions and applying the relevant provisions of the Radio Regulations;
- c) that it has been noted that unused frequency and GSO resources remain recorded in the Master International Frequency Register, and this further adds to the difficulty in accessing the GSO;
- d) that it is currently cumbersome, and in some cases not possible, for administrations to determine if the Bureau has been informed that frequency assignments associated with a given satellite network have been brought into use;
- e) that improving the ability of administrations to identify the networks for which the Bureau has been informed have been brought into use would help to address some of the aforementioned difficulties;
- f) that a readily accessible website, maintained by the Bureau, on which information related to the date of bringing into use of satellite networks is displayed would improve the access to this information by administrations,

*resolves to instruct the Director of the Radiocommunications Bureau*

- 1 to take the necessary steps to create a website, as part of the Bureau's collection of web pages, on which data pertaining to the bringing into use of frequency assignments associated with specific satellite networks is displayed;
- 2 upon receipt from an administration of information indicating the date of bringing into use of frequency assignments associated with a particular satellite network, to include the information associated with this indication on this website along with an indication as to whether, in the Bureau's view, the frequency assignments are confirmed as being brought into use;
- 3 to also include on this website other pertinent information that will allow a unique correlation of the indication that frequency assignments have been brought into use with a particular satellite network;
- 4 to include on this website a hyperlink to the associated Resolution 49 data, submitted on or after the date of bringing into use, for the particular frequency assignments and satellite network.

**Reasons:**

To improve transparency into GSO resources actually being used by making bringing into use data for frequency assignments and satellite networks readily available.

The uncertainty associated with when frequency assignments are actually brought into use and with possible inaccuracies with Resolution 49 Annex 2 data can be addressed as follows:

## RESOLUTION 49 (Rev.WRC-1207)

### **Administrative due diligence applicable to some satellite radiocommunication services**

The World Radiocommunication Conference (Geneva, 201207),

#### *considering*

- a) that Resolution 18 of the Plenipotentiary Conference (Kyoto, 1994) instructed the Director of the Radiocommunication Bureau to initiate a review of some important issues concerning international satellite network coordination and to make a preliminary report to WRC-95 and a final report to WRC-97;
- b) that the Director of the Bureau provided a comprehensive report to WRC-97, including a number of recommendations for action as soon as possible and for identifying areas requiring further study;
- c) that one of the recommendations in the Director's report to WRC-97 was that administrative due diligence should be adopted as a means of addressing the problem of reservation of orbit and spectrum capacity without actual use;
- d) that experience ~~may need to be~~ gained in the application of the administrative due diligence procedures adopted by WRC-97 indicates certain changes should be made to those procedures, and that several years may be needed to see whether administrative due diligence measures produce satisfactory results;
- e) that new regulatory approaches may need to be carefully considered in order to avoid adverse effects on networks already going through the different phases of the procedures;
- f) that Article 44 of the Constitution sets out the basic principles for the use of the radio-frequency spectrum and the geostationary-satellite and other satellite orbits, taking into account the needs of developing countries,

#### *considering further*

- g) that WRC-97 decided to reduce the regulatory time-frame for bringing a satellite network into use;
- h) that WRC-2000 has considered the results of the implementation of the administrative due diligence procedures and prepared a report to the 2002 Plenipotentiary Conference in response to Resolution 85 (Minneapolis, 1998),

#### *resolves*

- 1 that the administrative due diligence procedure contained in Annex 1 to this Resolution shall be applied as from 22 November 1997 for a satellite network or satellite system of the fixed-satellite service, mobile-satellite service or broadcasting-satellite service for which the advance publication information under No. **9.2B**, or for which the request for modifications of the Region 2 Plan under Article 4, § 4.2.1 *b*) of Appendices **30** and **30A** that involve the addition of new frequencies or orbit positions, or for which the request for modifications of the Region 2 Plan under Article 4, § 4.2.1 *a*) of Appendices **30** and **30A** that extend the service area to another

country or countries in addition to the existing service area, or for which the request for additional uses in Regions 1 and 3 under § 4.1 of Article 4 of Appendices 30 and 30A, or for which the submission of information under supplementary provisions applicable to additional uses in the planned bands as defined in Article 2 of Appendix 30B (Section III of Article 6) has been received by the Bureau from 22 November 1997, or for which submission under Article 6 of Appendix 30B (Rev.WRC-07) is received on or after 17 November 2007, with the exception of submissions of new Member States seeking the acquisition of their respective national allotments<sup>1</sup> for inclusion in the Appendix 30B Plan;

~~2 — that for a satellite network or satellite system within the scope of § 1 or 3 of Annex 1 to this Resolution not yet recorded in the Master International Frequency Register (MIFR) by 22 November 1997, for which the advance publication information under No. 1042 of the Radio Regulations (Edition of 1990, revised in 1994) or for the application of Section III of Article 6 of Appendix 30B has been received by the Bureau before 22 November 1997, the responsible administration shall submit to the Bureau the complete due diligence information in accordance with Annex 2 to this Resolution not later than 21 November 2004, or before the expiry of the notified period for bringing the satellite network into use, plus any extension period which shall not exceed three years pursuant to the application of No. 1550 of the Radio Regulations (Edition of 1990, revised in 1994) or the dates specified in the relevant provisions Article 6 of Appendix 30B, whichever date comes earlier. If the date of bringing into use, including extension specified above, is before 1 July 1998, the responsible administration shall submit to the Bureau the complete due diligence information in accordance with Annex 2 to this Resolution not later than 1 July 1998; (Reason: Overtaken by time)~~

~~2bis — that for a satellite network or satellite system within the scope of § 2 of Annex 1 to this Resolution not recorded in the MIFR by 22 November 1997, for which the request for a modification to the Plans of Appendices 30 and 30A has been received by the Bureau before 22 November 1997, the responsible administration shall submit to the Bureau the complete due diligence information in accordance with Annex 2 to this Resolution as early as possible before the end of the period established as a limit to bringing into use in accordance with the relevant provisions of Article 4 of Appendix 30 and the relevant provisions of Article 4 of Appendix 30A; (Reason: Overtaken by time)~~

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<sup>1</sup> See § 2.3 of Appendix 30B (Rev.WRC-07).

~~3 — that for a satellite network or satellite system within the scope of § 1, 2 or 3 of Annex 1 to this Resolution recorded in the MIFR by 22 November 1997, the responsible administration shall submit to the Bureau the complete due diligence information in accordance with Annex 2 to this Resolution not later than 21 November 2000, or before the notified date of bringing the satellite network into use (including any extension period), whichever date comes later; (Reason: Overtaken by time)~~

~~4 — that six months before the expiry date specified in *resolves 2* or *2bis* above, if the responsible administration has not submitted the due diligence information, the Bureau shall send a reminder to that administration; (Reason: Overtaken by time)~~

~~5 — that if the due diligence information is found to be incomplete, the Bureau shall immediately request the administration to submit the missing information. In any case, the complete due diligence information shall be received by the Bureau before the expiry date specified in *resolves 2* or *2bis* above, as appropriate, and shall be published by the Bureau in the International Frequency Information Circular (BR-IFIC); (Reason: Overtaken by time)~~

~~6 — that if the complete due diligence information is not received by the Bureau before the expiry date specified in *resolves 2* or *2bis* above, the request for coordination or request for a modification to the Plans of Appendices 30 and 30A or for application of Section III of Article 6 of Appendix 30B as covered by *resolves 1* above submitted to the Bureau shall be cancelled. Any modifications of the Plans (Appendices 30 and 30A) shall lapse and any recording in the MIFR as well as recordings in the Appendix 30B List shall be deleted by the Bureau after it has informed the concerned administration. The Bureau shall publish this information in the BR-IFIC; (Reason: Overtaken by time)~~

*further resolves*

that the procedures in this Resolution are in addition to the provisions under Article 9 or 11 of the Radio Regulations or Appendices 30, 30A or 30B, as applicable, and, in particular, do not affect the requirement to coordinate under those provisions (Appendices 30, 30A) in respect of extending the service area to another country or countries in addition to the existing service area,

*instructs the Director of the Radiocommunication Bureau*

to report to future competent world radiocommunication conferences on the results of the implementation of the administrative due diligence procedure.

## ANNEX 1 TO RESOLUTION 49 (Rev.WRC-07/12)

1 Any satellite network or satellite system of the fixed-satellite service, mobile-satellite service or broadcasting-satellite service with frequency assignments that are subject to coordination under Nos. 9.7, 9.11, 9.12, 9.12A and 9.13 and Resolution 33 (Rev.WRC-03) shall be subject to these procedures.

2 Any request for modifications of the Region 2 Plan under the relevant provisions of Article 4 of Appendices 30 and 30A that involve the addition of new frequencies or orbit positions or for modifications of the Region 2 Plan under the relevant provisions of Article 4 of Appendices 30 and 30A that extend the service area to another country or countries in addition to the existing service area or request for additional uses in Regions 1 and 3 under the relevant provisions of Article 4 of Appendices 30 and 30A shall be subject to these procedures.

3 Any submission of information under Article 6 of Appendix 30B (Rev.WRC-07), with the exception of submissions of new Member States seeking the acquisition of their respective national allotments<sup>2</sup> for inclusion in the Appendix 30B Plan, shall be subject to these procedures.

4 An administration indicating to the Bureau that frequency assignments ~~requesting~~ ~~coordination~~ for a satellite network under § 1 above have been brought into use shall send to the Bureau as early as possible before the end of the period established as a limit to bringing into use in No. 9.1, the complete due diligence information relating to the identity of the satellite network and the spacecraft manufacturer specified in Annex 2 to this Resolution. The indication to the BR that frequency assignments have been brought into use shall be made no later than 30 days after the date on which the frequency assignments have actually been brought into use. Additionally, the information called for in Annex 2 to this Resolution shall be submitted no earlier than the date on which the frequency assignments have actually been brought into use, and no later than 30 days after the date on which the frequency assignments have actually been brought into use.

5 An administration indicating to the Bureau that frequency assignments associated with a ~~requesting~~ a modification of the Region 2 Plan or with additional uses in Regions 1 and 3 under Appendices 30 and 30A under § 2 above have been brought into use shall send to the Bureau as early as possible before the end of the period established as a limit to bringing into use in accordance with the relevant provisions of Article 4 of Appendix 30 and the relevant provisions of Article 4 of Appendix 30A, the complete due diligence information relating to the identity of the satellite network and the spacecraft manufacturer specified in Annex 2 to this Resolution. The indication to the BR that frequency assignments have been brought into use shall be made no later than 30 days after the date on which the frequency assignments have actually been brought into use. Additionally, the information called for in Annex 2 to this Resolution shall be submitted no earlier than the date on which the frequency assignments have actually been brought into use, and no later than 30 days after the date on which the frequency assignments have actually been brought into use.

6 An administration indicating to the Bureau that frequency assignments associated with the application ~~ing~~ of Article 6 of Appendix 30B (Rev.WRC-07) under § 3 above have been brought into use shall send to the Bureau as early as possible before the end of the period established as a limit to bringing into use in § 6.1 of that Article, the complete due diligence information relating to the identity of the satellite network and the spacecraft manufacturer specified in Annex 2 to this Resolution. The indication to the BR that frequency assignments have been brought into use shall be made no later than 30 days after the date on which the frequency assignments have actually been brought into use. Additionally, the information called for in Annex 2 to this Resolution shall be submitted no earlier than the date on which the frequency assignments have actually been brought into use, and no later than 30 days after the date on which the frequency assignments have actually been brought into use.

7 The information to be submitted in accordance with § 4, 5 or 6 above shall be signed by an authorized official of the notifying administration or of an administration that is acting on behalf of a group of named administrations.

8 On receipt of an indication that frequency assignments for a particular satellite network have been brought into use, the BR shall post such information to a web page as detailed in Resolution BIU.

89 On receipt of the ~~due diligence~~ information called for in Annex 2 to this Resolution under § 4, 5 or 6 above, the Bureau shall promptly examine that information for completeness. If the information is found to be complete, the Bureau shall publish the complete information in a special section of the BR IFIC within 30 days (See also Resolution BIU).

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<sup>2</sup> See § 2.3 of Appendix 30B (Rev.WRC-07).



910 If the information submitted under § 9 above is found to be incomplete, the Bureau shall immediately request the administration to submit the missing information. In such cases, the administration shall provide the missing information within [1] month[s] after receiving the request for the additional information from the Bureau. ~~In all cases, the complete due diligence information shall be received by the Bureau within the appropriate time period specified in § 4, 5 or 6 above, as the case may be, relating to the date of bringing the satellite network into use.~~

~~10 — Six months before expiry of the period specified in § 4, 5 or 6 above and if the administration responsible for the satellite network has not submitted the due diligence information under § 4, 5 or 6 above, the Bureau shall send a reminder to the responsible administration.~~

11 If the complete due diligence information is not received by the Bureau within the time limits specified in this Resolution, the networks covered by § 1, 2 or 3 above shall no longer be taken into account and shall not be recorded in the MIFR. The provisional recording in the MIFR shall be deleted by the Bureau after it has informed the concerned administration. The Bureau shall publish this information in the BR IFIC.

With respect to the request for modification of the Region 2 Plan or for additional uses in Regions 1 and 3 under Appendices 30 and 30A under § 2 above, the modification shall lapse if the due diligence information is not submitted in accordance with this Resolution.

With respect to the request for application of Article 6 of Appendix 30B (Rev.WRC-07) under § 3 above, the network shall also be deleted from the Appendix 30B List. When an allotment under Appendix 30B is converted into an assignment, the assignment shall be reinstated in the Plan in accordance with § 6.33 c) of Article 6 of Appendix 30B (Rev.WRC-07).

~~12 — An administration notifying a satellite network under § 1, 2 or 3 above for recording in the MIFR shall send to the Bureau, as early as possible before the date of bringing into use, the due diligence information relating to the identity of the satellite network and the launch services provider specified in Annex 2 to this Resolution.~~

123 When an administration has completely fulfilled the due diligence procedure but has not completed coordination, this does not preclude the application of No. 11.41 by that administration.

## ANNEX 2 TO RESOLUTION 49 (Rev.WRC-07)

### **A Identity of the satellite network**

- a) Identity of the satellite network
- b) Name of the administration
- c) Country symbol
- d) Reference to the advance publication information or to the request for modification of the Region 2 Plan or for additional uses in Regions 1 and 3 under Appendices 30 and 30A; or reference to the information processed under Article 6 of Appendix 30B (Rev.WRC-07)
- e) Reference to the request for coordination (not applicable for Appendices 30, 30A and 30B)

- f)* Frequency band(s)
- g)* Name of the operator
- h)* Name of the satellite
- i)* Orbital characteristics.

**B                      Spacecraft manufacturer\***

- a)* Name of the spacecraft manufacturer
- b)* Date of execution of the contract
- c)* Contractual “delivery window”
- d)* Number of satellites procured.

**C                      Launch services provider**

- a)* Name of the launch vehicle provider
- b)* Date of execution of the contract
- c)* Launch or in-orbit delivery window
- d)* Name of the launch vehicle
- e)* Name and location of the launch facility.

**Reasons:**

To improve the accuracy of Resolution 49 data recorded by the ITU.

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\* NOTE – In cases where a contract for satellite procurement covers more than one satellite, the relevant information shall be submitted for each satellite.

## **DOCUMENT WAC/043(01.09.09)**

### **UNITED STATES OF AMERICA**

#### **DRAFT PROPOSAL FOR WRC-11**

**AGENDA ITEM 7:** to consider possible changes in response to Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference: "Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks", in accordance with Resolution 86 (Rev.WRC-07)

**ISSUE:** Application of Nos. 9.51 and 9.52 with respect to coordination under No. 9.7

**BACKGROUND:** After a Coordination Request is submitted to the ITU, the Bureau identifies the administrations with which coordination has to be effected. Within four months of the publication of the Coordination Request each of the identified administrations has to either agree with the coordination or explicitly express its disagreement. Almost without exception, administrations choose the second option. This proposal contains the necessary changes to the Radio Regulations in order to ensure that lack of response from an administration is understood by the Bureau as disagreement and therefore eliminate a significant amount of correspondence that in most cases does not contribute in any way to expedite the coordination process.

For sake of discussion assume that the coordination request of a network of administration A has been published and that administration B has been identified by the Bureau under No. 9.7 as one of the administrations with which coordination has to be effected.

Then, according No. 9.51, administration B, within four months of the publication of the coordination request, shall "either inform the requesting administration of its agreement or act under No. 9.52", with the latter meaning that administration B will express its disagreement, i.e. the need for coordination.

In the vast majority of cases, administrations respond in accordance with No. 9.52 without providing any reasons for their disagreement. It is certainly the easiest and safest way to proceed.

It follows from the above that the required formal answer under Nos. 9.51 or 9.52 has lost its value in the framework of GSO to GSO coordination. An improvement to this aspect of the process can be realized by lifting the mandatory nature of this requirement for coordination requests made under No. 9.7 (GSO vs. GSO).

In an improved process, after the coordination request of a satellite network of administration A is published together with the initial list of administrations and corresponding provisional list of satellite networks with which coordination has to be effected, administrations would review this list. In case an administration wants to add or remove itself and/or a network, then it would send this request to the Bureau, as well as to administration A, within four months of the date of publication of the coordination request. However, if an administration agrees with the initial list of administrations and provisional list of corresponding networks published by the Bureau, no action would be required. In particular, an administration already included in the list would not

be removed from the final list due to lack of response under No. **9.52** as such lack of a response would be understood by the Bureau to mean that this administration believes that coordination with one or more of its networks is required. Removing the requirement to respond under No. **9.52** will eliminate a significant amount of correspondence that in most cases does not contribute in any way to expedite the coordination process.

**U.S. PROPOSAL:** In view of the above the United States proposes that changes to Article 9 of the Radio Regulations be introduced in order to allow that: (1) if an administration, in respect to a coordination request from another administration, is not in a position to give its agreement under No. **9.51** then this administration would not need to respond to such a request; and (2) the lack of such a response would be understood by the Bureau to mean that this administration believes that coordination with one or more of its networks is required.

## Annex 2

### Proposed Modifications to Some Provisions of the Radio Regulations

#### MOD

**9.51** Following its action under No. 9.50, the administration with which coordination was sought under Nos. 9.7 to 9.7B shall, within four months of the date of publication of the BR IFIC under No. 9.38 or its addenda published under No. 9.42, respectively, either inform the requesting administration and the Bureau of its agreement or act under No. 9.52.

*Reason: To explicitly state that different 4-month windows apply to the original publication and each of its addenda published within or just after the first 4-month period.*

#### MOD

**9.52** If an administration, following its action under No. 9.50, does not agree to the request for coordination, it shall, within four months of the date of publication of the BR IFIC under No. 9.38, or of the date of dispatch of the coordination data under No. 9.29, inform the requesting administration of its disagreement and shall provide information concerning its own assignments upon which that disagreement is based. It shall also make such suggestions as it is able to offer with a view to satisfactory resolution of the matter. A copy of that information shall be sent to the Bureau.<sup>24A</sup> Where the information relates to terrestrial stations or earth stations operating in the opposite direction of transmission within the coordination area of an earth station, only that information relating to existing radiocommunication stations or to those to be brought into use within the next three months for terrestrial stations, or three years for earth stations, shall be treated as notifications under Nos. 11.2 or 11.9.

*Reason: To indicate that the following footnote is added:*

#### ADD

<sup>24A</sup> **9.52.1** In the case of coordination requests under No. 9.7, an affected administration not responding under Nos. 9.51 or 9.52 within four months of the date of publication of the BR IFIC made under No. 9.38 shall continue to be regarded as an affected administration. The fact that this administration did not reply under No. 9.52 will be considered as a confirmation – for its part – of the BR publication and will not change its status under No. 9.36 nor the list of its networks established under No. 9.36.2.

*Reason: This footnote to No. 9.52 lifts the mandatory nature of making comments under No. 9.52 for the coordination category of No. 9.7 (GSO/GSO). A non-reply will be understood as a confirmation of the BR IFIC publication made under No. 9.38, with respect to the list of affected administrations (No. 9.36) and the list of satellite networks compiled under No. 9.36.2.*

**MOD**

**9.60** If, within the same four-month period specified in Nos. 9.51 or 9.51A, an administration with which coordination is sought under Nos. 9.7A to or 9.7B and or 9.15 to 9.19 fails to reply or to give a decision under Nos. 9.51 or 9.51A or, following its disagreement under No. 9.52, fails to provide information concerning its own assignments on which its disagreement is based, the requesting administration may seek the assistance of the Bureau. The administration initiating the coordination under No. 9.7 may also request the assistance of the Bureau when this administration considers that any of the affected administrations is not willing to participate in the coordination process or does not want to cooperate in the resolution of the problems in the manner foreseen under No. 9.53.

*Reason: As the new provision footnote No. 9.52.1 above proposes to lift the mandatory nature of No. 9.52 for the coordination category of No. 9.7 (GSO/GSO), this category has to be excluded from the current formulation of No. 9.60. However, the possibility for the initiating administration to ask the Bureau's assistance in case of difficulties should be maintained.*

**MOD**

**9.62** If the administration concerned ~~still~~ fails to respond within thirty days of the Bureau's action under No. 9.61, the provisions of Nos. 9.48 and 9.49 shall apply.

*Reason: The word "still" is not applicable to the situation addressed in the last sentence of the modified No. 9.60.*

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## **DOCUMENT WAC/044(01.09.09)**

### **UNITED STATES OF AMERICA**

#### **DRAFT PROPOSAL FOR WRC-11**

**AGENDA ITEM 7:** to consider possible changes in response to Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference: “Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks”, in accordance with Resolution 86 (Rev.WRC-07)

**ISSUE:** List of networks with which coordination needs to be effected (No. 9.36 of RR)

**BACKGROUND:** For the coordination between geostationary satellite networks (No. 9.7), the Bureau identifies the administrations with which coordination has to be effected as well as the respective satellite networks. However, the list of identified satellite networks is for information only. Coordination would be facilitated if, after receiving comments from all interested administrations, the Bureau would render definitive the list of networks with which coordination has to be effected. This proposal contains the necessary changes to the Radio Regulations in order to achieve this goal.

The regulations currently in force - namely provisions Nos. **9.36** and **9.36.2** – indicate that the Bureau, when it examines a request for coordination in application of Nos. **9.34 – 9.38**, shall identify any administration with which coordination may need to be effected.

Provision No. **9.36.2** further specifies that *“in the case of coordination under Nos. 9.7, 9.7A and 9.7B, the Bureau shall also identify the specific satellite networks or earth stations with which coordination needs to be effected. In the case of coordination under No. 9.7 the list of the networks identified by the Bureau under No. 9.27 is for information purposes only, to help administrations comply with this procedure.”*

In this context, for sake of discussion assume that the coordination request of a network of administration A has been published and that administration B has been identified by the Bureau under No. **9.7** as one of the administrations with which coordination has to be effected.

As the list of the satellite networks of administration B provided by the Bureau is “for information purposes only”, administration A will not necessarily know the complete list of networks of administration B that have to be considered until bilateral coordination between A and B is conducted. This is not desirable, especially because detailed coordination is often conducted between operators, whereas satellite networks are submitted to the ITU by administrations. Operator-to-operator coordination agreements are subsequently ratified by the administrations involved and a formal coordination meeting between administrations may never happen. Therefore the operator of administration A associated with the satellite network under consideration may never know the complete list of networks of administration B with which coordination is required.

Provision No. **9.36.2** stipulates that the Bureau identifies the satellite networks with which coordination needs to be effected in the framework of the coordination procedure foreseen in Article 9 (Section II) for the coordination forms **9.7** to **9.7B**. The Bureau uses for this

identification either the “coordination arc” (CA) concept or the method described in Appendix 8 ( $\Delta T/T > 6\%$ ). On the above basis, the BR establishes the list of affected administrations (No. 9.36) and a list of satellite networks which may be affected by the network contained in the “incoming” coordination request. The latter list, however, may not be complete or definitive for a given coordination request. Under the provisions of No. 9.41 the administrations which are not included in the list under No. 9.36 may request their inclusion in this list, identifying networks outside the coordination arc for which the value of  $\Delta T/T$  calculated by the method in Appendix 8 exceeds 6%.

In addition, administrations which are included in the list of 9.36 may at a later time request that, in addition to the networks included in the list of No. 9.36.2, other networks should also be included in the coordination process. The latter case does not seem to be covered by the provisions of No. 9.41 which treats only cases of administrations not included in the first list established under No. 9.36 rather than the networks. Consequently, this problem needs to be solved by the administrations during bilateral coordination discussions. A further difficulty is that the additions under No. 9.41 to the list of the affected administrations can only be handled by addenda to the BR first publication under No. 9.38 at different times, after the first publication (see Nos. 9.41 and 9.42). While the additionally affected administrations are in this way published and consequently known by all the administrations after the 4 month comment period, the complete list of networks to be considered is not available, as the list of networks originally published under No. 9.36.2 is not updated.

Having experienced the above difficulties, a Rule of Procedure (RoP) concerning the application of Provisions Nos. 9.41 and 9.42 has been established. This RoP is attached to the present document for information. (Annex 1). The RoP recognizes that under the current regulations the list of affected networks (No. 9.36.2) cannot be considered as exhaustive. In addition, it is also recognized that when administrations disagree on the list of networks to be considered the problem can only be solved by the Bureau at the very end of the notification process (Article 11, Nos. 11.32A, and probably 11.41)

It is noted that the wording of No. 9.41 excludes from its application those administrations which have been selected for inclusion in the list of affected administration under No. 9.36. These administrations may also find that some of their networks which were not included in the list of No. 9.36.2 – since they were outside the coordination arc – should be included into the coordination procedure as their  $\Delta T/T$  value exceeds the threshold value of 6%. Logically for these administrations the concept of No. 9.41 should also apply. The current Rule of Procedure on Nos. 9.41 – 9.42 recognizes this problem (see §.2.1 of the RoP in Annex 1) and suggests that such cases should be considered under No. 9.52 (disagreement communicated to the initiating administration). For such a case the Rule states that the administration should, *“while applying No. 9.52 and without having to apply No. 9.41, bring into the bilateral coordination discussion any of their networks located outside the coordination arc which meet the  $\Delta T/T > 6\%$  criterion.”*

In view of the above considerations, it seems logical and necessary to open the application of the concept of No. 9.41 also for those administrations which have already been identified as affected administrations under No. 9.36, to allow for the possible addition of networks which were not identified under No. 9.36.2 where the only criterion applied was the coordination arc.

In summary, an improvement to the process would be for the list of networks identified under No. 9.36.2 with respect to coordination under No. 9.7 to be considered provisional and not “for information only”. Currently, according to No. 9.41, within the period of four months following the publication of a coordination request, administrations are able to request that an administration be added or removed from the list generated by the Bureau. In an improved process, this possibility would be expanded so that requests could also be made to add or remove



networks from the list generated by the Bureau.<sup>1</sup> The Bureau would then study all these requests (see No. 9.42) and subsequently publish, at the earliest possible date, a definitive list of administrations and corresponding satellite networks with which coordination would be required.

Consequential changes to Article 9 and Appendix 5 of the Radio Regulations will be required in order to implement these proposals.

**U.S. PROPOSAL:** In view of the above the United States proposes that changes to Article 9 and Appendix 5 of the Radio Regulations be introduced in order to allow that a definitive list of administrations and corresponding satellite networks with which coordination needs to be effected be generated as early as possible in the coordination process. These changes are specified in Annex 2.

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<sup>1</sup> Requests for addition of an administration should also include the specification of the networks of this administration to be considered in the coordination.